

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RASHEED JOHNSON,

Plaintiff,

v.

HARLEY G. LAPPIN, C/O PETTY, M. GELIOS, D.  
BANING, SARA REVELL and CAPTAIN HARMON.,

Defendants.

Case No. 08-cv-730-JPG

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision,

IT IS HEREBY ORDERED AND ADJUDGED that plaintiff Rasheed Johnson's Eighth Amendment and retaliation claims regarding

- the denial of clothing exchange and visitation while in the dry cell;
- the denial of telephone and visitation privileges in the special housing unit ("SHU");
- retaliatory placement in a dry cell; and
- retaliatory placement in the SHU

are dismissed with prejudice for failure to prosecute; and

IT IS FURTHER ORDERED AND ADJUDGED that plaintiff Rasheed Johnson's Eighth Amendment and retaliation claims regarding

- all other conditions of confinement in the dry cell (the denial of bedding, personal hygiene items and mail, and that the cell was frigid and unsanitary);
- the "Officer's [sic] in the SHU" tampering with plaintiff's legal mail while plaintiff was in the SHU;
- defendant Petty's removing clothing, hygiene products and commissary items from plaintiff; and
- defendant Banning's refusing to replace clothing or provide adequate cold weather apparel

are dismissed without prejudice for failure to exhaust administrative remedies.

**DATED: June 28, 2011**

**NANCY J. ROSENSTENGEL, Clerk of Court**

**By: s/Brenda K. Lowe, Deputy Clerk**

**Approved: s/ J. Phil Gilbert**  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**